

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: New Jersey

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Enforcement of Compliance for Nursing Facilities

Additional Remedies: Describe the criteria (as required at §1919(h)(2)(A)) for applying the additional remedy. Include the enforcement category in which the remedy will be imposed (i.e., category 1, category 2, or category 3 as described at 42 CFR 488.408).

ADDITIONAL REMEDIES

The State's licensing enforcement remedy of a curtailment on admissions may be recommended as an additional remedy for imposition when either a Category 2 or Category 3 remedy is required or optional as described at 42 CFR 488.408.

The remedy of curtailment on admissions will be used in situations where immediate correction of serious deficiencies, such as those related to participation requirements under 42 CFR 483.13, Resident Behavior and Facility Practices, 42 CFR 483.15, Quality of Life, or 42 CFR 483.25, Quality of Care, is warranted.

Curtailment on admissions will apply to new admissions, as well as readmissions and will also apply to private pay residents. The remedy will be continued until the facility has demonstrated that it is in substantial compliance with the deficiency that is the subject of the action. On a case by case basis, exceptions may be made for admission of residents on temporary bedhold based upon demonstrated hardship and the facility's documented ability to provide appropriate care to the individual.

The curtailment remedy is authorized pursuant to regulation in the New Jersey Administrative Code at NJAC 8:43E-3.6.

OFFICIAL

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